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Laws, Resolutions and Memorials

OF THE

STATE OF MONTANA

PASSED AT THE

... EIGHTH REGULAR SESSION...

OF THE

LEGISLATIVE ASSEMBLY

HELD AT HELENA, THE SEAT OF GOVERNMENT OF SAID STATE, COMMENCING JANUARY 5th, 1903, and ENDING MARCH 5th, 1903.

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CHAPTER XXXV.

An Act to prohibit unlawful carrying of concealed weapons, to provide penalties for violations of this act and to define the meaning of the term concealed weapons.

Be it Enacted by the Legislative Assembly of the State of Montana:

Section 1.

Any person in this State who shall carry concealed or partially concealed on or about his person any revolver, pistol, dirk, dagger, slung shot, sword cane, or knuckles made of any metal or any hard substance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty five nor more than two hundred dollars, or by imprisonment in the County jail not less than ten nor more than thirty days, or by both such fine and imprisonment.

Carrying weapons concealed or partially concealed about person.

Penalty.

Section 2.

The preceeding section shall not apply to a person in actual service as a militiaman, nor to a police officer or policeman, or person summoned to his aid nor to a revenue or other civil officer engaged in the discharge of official duty, nor to the carrying of arms on one's own premises, or place of business.

Reservation.

Section 3. If any person shall go into any church or religious assembly, any school room or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show, or public exhibition of any kind, or into a ball room, social party, or social gathering, or to any election precinct or any place of registration, on the day or days of any election or registration, where any portion of the people of the State are collected to register or vote at any election, or to any other place where people may be assembled to perform any public duty, or at any public assembly, and shall have or carry concealed or partially concealed about his person a

Carrying weapons in certain places.

Penalty. pistol or other firearm, dirk, dagger, slung shot, sword cane, knuckles, or bowie knife, he shall be punished by a fine of not less than fifty nor more than five hundred dollars.

Section 4.

Reservation. The preceding section shall not apply to peace officers or other persons authorized or permitted by law to carry arms at the places therein designated. "And any District Judge of any judicial district of the State of Montana, may, upon satisfactory proof being produced before him of the good moral character and peaceable disposition of any person, grant permission to such person to bear concealed or otherwise a "pistol" or "revolver" for such a period of time as such judge may deem necessary."

Permit of District Judge. Dis-

Section 5.

Arrest. Any person violating any of the provisions of sections one and three of this act may be arrested without warrant by any peace officer and carried before the nearest justice of the peace for trial: and any peace officer who shall fail or refuse to arrest such person on his own knowledge, or upon information from some creditable person, shall be punished by a fine not exceeding five hundred dollars.

Peace officer failing to arrest.

Penalty.

Section 6.

"Concealed weapon" defined. The term concealed weapons shall be taken to mean any weapon mentioned in the foregoing sections which shall be wholly or partially covered by the clothing or wearing apparel of the person so carrying the weapon.

Section 7.

Act not to apply to county designated by Governor. The provisions of this Act shall not apply to or be in force in any county which the governor may designate by proclamation as a frontier county and liable to incursions by hostile Indians.